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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Jamie Stephens

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7590

10/30/2008

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EXAMINER

CHEEMA, UMAR

ART UNIT

PAPER NUMBER

2444

NOTIFICATION DATE

DELIVERY MODE

10/30/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/694,157	<b>Applicant(s)</b> STEPHENS ET AL.	
	<b>Examiner</b> UMAR CHEEMA	<b>Art Unit</b> 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to the RCE filed on 09/16/2008. Claims 1-22 are pending with claims 1-4 and 8 further amended.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 09/16/2008 has been entered.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. **Claims 1-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al (Ludwig) (US 2003/0225832) in view of Yogeshwar et al (Yogeshwar) (US 7,035,468) and further in view of Minneman et al (Minneman) (US 7,174,083).
5. Regarding to **claim 1**, Ludwig discloses a system for archiving a collaboration over a network, comprising: an input adapter operable to accept the collaboration having plural contemporaneous media streams, each media stream having different media type and at least one media stream having a different start or stop time from another media stream (see abstract, par. 0041, 0184) over a network interface (see fig. 20, collaboration multimedia workstation software, par. 0122); an archive engine operable to accept the contemporaneous plural media streams of the collaboration from the input adapter and to format the plural media streams of the collaboration for storage as a session (see par. 0046) by appending each of the plural media streams with time-relationship data that identifies a time relationship between the plural media of the collaboration (see par. 0045-0046); an archive database operable to store the session created by the archive engine; and an output adapter operable to retrieve two or more media streams from an archived session for replay of the collaboration by accessing elements of the stored session in accordance with the time-relationship data (see par. 0042, 0237; fig. 31D (205), audio/video storage server).

Ludwig discloses substantially the invention as claimed however does not explicitly disclose wherein said archiving engine. However in the same field of invention,

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Yogeshwar discloses an archive engine operable to accept the plural media of the collaboration from the input adapter (see title-abstract, col. 3, lines 20-33). Therefore it would have been obvious to one of the ordinary skill person in the art of networking at the time of the invention to combine the teaching of Ludwig with Yogeshwar for archiving and retrieving multimedia collaboration over a network. Motivation for doing so would have been that archiving reduces object maintenance and improves the performance of active data (see Yogeshwar: col. 6, lines 1-3).

Ludwig-Yogeshwar substantially discloses the invention however does not explicitly disclose wherein plural contemporaneous media streams with at least one media stream having a different start or stop time from another media stream. In the same field of invention Minneman discloses wherein plural contemporaneous media streams with at least one media stream having a different start or stop time from another media stream (see figure 8 and the details related in specification, col. 5, line 58-col. 6, line 12; sequence of events may occur during the recording of an activity).

It would have been obvious to one of the ordinary skill person in the art of networking to combine the teaching of Minneman to Ludwig-Yogeshwar for a plural synchronic media streaming. Motivation for combining Minneman into Ludwig-Yogeshwar would have been that archiving reduces object maintenance and improves the performance of active data (see Yogeshwar: col. 6, lines 1-3).

6. Regarding **claim 2**, Ludwig discloses the system of claim 1 further comprising a scheduling engine operable to schedule the input adapter for communication with the

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plural media streams of the collaboration (see fig. 29-Multimedia Document Management, par. 0171, 0172).

7. Regarding **claim 3**, Ludwig discloses the system of claim 1 further comprising a bookmark engine interfaced with the archive engine and operable to set temporal bookmarks in the session (see par. 0174, par. 0208-0209), wherein the output adapter is further operable to retrieve an archived session for replay at a bookmark (see par. 0246, par. 0174, par. 0219).

8. Regarding **claim 4**, Ludwig discloses the system of claim 1 further comprising a speech recognition engine interfaced with the archive and operable to convert audio media stream into a transcript (see par. 0246, fig. 30, par. 0287).

9. Regarding **claim 5**, Ludwig discloses the system of claim 4 wherein the speech recognition engine is further operable to provide a temporal map of speaker identity over the duration of the collaboration (see par. 0287).

10. Regarding **claim 6**, Ludwig discloses the system of claim 1 wherein the plural media stream comprises a visual presentation having plural pages (see par. 0173-0174) and wherein the archive engine is further operable to associate other media stream of the session with a page of the presentation (see fig. 30, par. 0173, par. 0174).

11. Regarding **claim 7**, the combination of Ludwig and Yogeshwar discloses the system of claim 1 wherein the archive engine comprises (see Yogeshwar: abstract): an audio engine operable to format audio information for archiving (see Yogeshwar: fig. 3, col. 11, lines, 17-45); a video engine operable to format video information for archiving (see Yogeshwar: col. 11, lines 17-45, fig. 3); a structured events engine operable to

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format structured events for archiving; an application specific engine operable to format application specific information for archiving; and a temporal engine operable to append the time-relationship data to each of the plural media streams (see Ludwig: par. 0045-0046, Yogeswar: fig. 2, col. 10, lines 19-44).

12. Regarding **claim 8**, Ludwig et al teach a method for archiving a network collaboration comprising: interfacing with the network to receive the network collaboration, the collaboration including plural contemporaneous media streams, each media stream having different media type and at least one media stream having a different start or stop time from another media stream (see abstract, par. 0041, 0184) plural media streams (see abstract, par. 002); formatting each of the plural media streams for storage as a temporally related session by appending each of the contemporaneous plural media streams with time-relationship data that identifies a time relationship between the plural media streams of the collaboration (see par. 0045-0046); storing the session in an archive database; and retrieving two or more media streams from of the stored session in accordance with the time-relationship data for replay of the collaboration (see par. 0045-0046, 0246, 0174).

Ludwig discloses substantially the invention as claimed above but does not explicitly disclose wherein said formatting the multimedia for storage and storing the session in an archive database. However in the same field of invention, Yogeshwar discloses wherein said formatting each of the plural media for storing in an archive database (see abstract, col. 3, lines 20-33). Therefore it would have been obvious to one of the ordinary skill persons in the art of networking at the time of the invention to

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combine the teaching of Ludwig with Yogeshwar for formatting the multimedia and storing the sessions in an archive database. Motivation for doing so would have been that it helps to manage different formatting files before storing in an archive database (see Yogeshwar: col. 3, lines 7-13).

Ludwig-Yogeshwar substantially discloses the invention however does not explicitly disclose wherein plural contemporaneous media streams with at least one media stream having a different start or stop time from another media stream. In the same field of invention Minneman discloses wherein plural contemporaneous media streams with at least one media stream having a different start or stop time from another media stream (see figure 8 and the details related in specification, col. 5, line 58-col. 6, line 12; sequence of events may occur during the recording of an activity).

It would have been obvious to one of the ordinary skill person in the art of networking to combine the teaching of Minneman to Ludwig-Yogeshwar for a plural synchronic media streaming. Motivation for combining Minneman into Ludwig-Yogeshwar would have been that archiving reduces object maintenance and improves the performance of active data (see Yogeshwar: col. 6, lines 1-3).

13. Regarding **claim 9**, Ludwig discloses the method of claim 8 wherein the plural media streams comprise audio, video and application specific media streams (see abstract, par. 0041-0042).

14. Regarding **claim 10**, Ludwig discloses the method of claim 9 wherein the application specific media stream comprises a shared application document (see par. 0042).



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15. Regarding **claim 11**, Ludwig discloses the method of claim 8 wherein the plural media streams comprise a structured events media stream (see fig. 23, par. 0141).

16. Regarding **claim 12**, Ludwig discloses the method of claim 11 wherein the structured events media stream comprises instant messages (see par. 0069).

17. Regarding **claim 13**, Ludwig discloses the method of claim 11 wherein the structured events media stream comprises e-mail (see fig. 2B, par. 0062, par.0238-0239-Multimedia mail).

18. Regarding **claim 14**, Ludwig discloses the method of claim 8 wherein interfacing with the network further comprises initiating communication with an archive engine as an endpoint of the collaboration (see par. 0076, par. 0078).

19. Regarding **claim 15**, Ludwig discloses the method of claim 8 further comprising: inserting a bookmark into the session to provide a temporal reference (see par. 0174, par. 0208-0209); and retrieving the archived session at the temporal reference with the bookmark (see par. 0246, par. 0174, par. 0219).

20. Regarding **claim 16**, Ludwig discloses the method of claim 8 further comprising: transcribing audio media of the collaboration (see par. 0186); and storing the transcribed audio media in the archive temporally related to the audio media (see par. 0187).

21. Regarding **claim 17**, Ludwig discloses the method of claim 16 further comprising: identifying voices associated with the transcribed audio media (see par. 0188-0199, par. 0288); and visually depicting the identified voices along a time line of the collaboration (see par. 0188-0199).

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22. Regarding **claim 18**, Ludwig discloses the method of claim 17 wherein retrieving selected portions further comprises retrieving portions of the collaboration associated with a temporal voice identification (see par. 0216-0217, par. 0288).

23. Regarding **claim 19**, the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 8 further comprising: associating temporal display of a document during the collaboration with contemporaneous information of one or more of the plural media streams (see col. 17, lines 36-50); and indexing in the archive the temporal display of the document and the contemporaneous information of the one or more plural media streams (see abstract, col. 1, lines 43-55, col. 2, lines 33-43).

24. Regarding **claim 20**, the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 19 wherein retrieving selected portions further comprises retrieving the document and the indexed contemporaneous information of the one or more plural media streams (see col. 5, lines 60-65, col. 9, lines 56-63).

25. Regarding **claim 21**, the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 20 wherein the indexed contemporaneous information comprises audio information (see abstract, col.1, lines 45-55).

26. Regarding **claim 22**, the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 20 wherein the indexed

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contemporaneous information comprises video information (see abstract, col.1, lines 45-55).

### ***Conclusion***

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the form PTO-892 (Notice of Cited Reference) for a list of more relevant prior arts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to UMAR CHEEMA whose telephone number is (571)270-3037. The examiner can normally be reached on M-F 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Jr. Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/U. C./

Examiner, Art Unit 2444

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444